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NORTHERN DISTRICT OF CALIFORNIA

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7 **SEALED**
8 **BY COURT ORDER**

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

CR 08

0730

Criminal No:

WHA

VIOLATIONS:

12 UNITED STATES OF AMERICA,

13 v.

- 14 (1) IVAN CERNA,
a/k/a "Tigre,"
15 (2) MARVIN CARCAMO,
a/k/a "Cyco,"
16 a/k/a "Psycho,"
a/k/a "Syc,"
17 (3) ANGEL NOEL GUEVARA,
a/k/a "Peloncito,"
18 (4) MORIS FLORES,
a/k/a "Slow,"
19 a/k/a "Slow Pain,"
20 (5) GUILLERMO HERRERA,
a/k/a "Shorty,"
a/k/a "Sparky,"
21 (6) JONATHAN CRUZ-RAMIREZ,
a/k/a "Soldado,"
22 (7) WALTER CRUZ-ZAVALA,
a/k/a "Sombra,"
23 (8) WALTER PALMA,
a/k/a "Kapone,"
24 a/k/a "Capon,"
25 (9) DANIEL PORTILLO,
a/k/a "Rustin,"
a/k/a "Rooster,"
26 (10) ERICK LOPEZ,
a/k/a "Spooky,"
27 (11) CARLOS GARRIDO,
a/k/a "Tweety,"
28 (12) WALTER CHINCHILLA-LINAR,
a/k/a "Demonio,"

18 U.S.C. § 1962(d) — RICO conspiracy

18 U.S.C. § 1959 — Violent Crimes in
Aid of Racketeering

18 U.S.C. § 924(c) — Use/Possession of
Firearm in Furtherance of Crime of
Violence

21 U.S.C. § 846 — Conspiracy to
Distribute/Possess with Intent to
Distribute Controlled Substance

21 U.S.C. § 841(a)(1), (b)(1)(B) and
(b)(1)(c) — Distribution/Possession
with Intent to Distribute Controlled
Substance

18 U.S.C. § 922(a)(1) — Unlicensed
Firearms Dealing

18 U.S.C. § 922(g)(5) — Alien in
Possession of Firearm

18 U.S.C. § 553(a) — Attempted
Exportation of Stolen Vehicle

18 U.S.C. § 2 — Aiding & Abetting

SAN FRANCISCO VENUE

1 (13) CESAR ALVARADO,
a/k/a "Momia,"
2 (14) ABRAHAM MARTINEZ,
a/k/a "Goofy,"
3 (15) JOSE ALVARADO,
a/k/a "Joker,"
4 (16) DOUGLAS LARGAESPADA,
a/k/a "Droopy,"
5 (17) WILBERT CASTILLO,
a/k/a "Cypress,"
6 (18) JOSE QUINTEROS,
a/k/a "Fantasma,"
7 (19) MELVIN MALDONADO,
a/k/a "Estrano,"
8 a/k/a "Stranger,"
9 (20) MANUEL FRANCO,
a/k/a "Dreamer,"
10 (21) RODRIGO MOLINA,
a/k/a "Lil Payaso,"
a/k/a "Payaso,"
11 (22) MAURICIO URIAS,
a/k/a "Puppet,"
12 (23) JUDITH SOSA,
a/k/a "J-Dubbs,"
13 (24) JOHN LACSAMANA BRIEZ,
14 (25) JOSE ANTUNEZ,
a/k/a "Fino,"
15 (26) RENE MONTES-MAYORGA,
a/k/a "Negro,"
16 (27) RODIL NOCHEZ,
a/k/a "Chino,"
a/k/a "Nieto,"
17 (28) DANIEL GONZALEZ,
a/k/a "D," and
18 (29) MARLON LUMANG,
19 Defendants.

21 INDICTMENT

22 The Grand Jury charges:

23 COUNT ONE: (18 U.S.C. § 1962(d) — Racketeering Conspiracy)

24 Introduction

25 1. *La Mara Salvatrucha*, also known as the MS-13 gang (hereafter "MS-13"), is a
26 gang composed primarily of immigrants or descendants of immigrants from El Salvador, with
27 members operating in the State of California, including San Francisco, and throughout the United
28 States. The name "*Mara Salvatrucha*" is a combination of several slang terms. The word

1 "Mara" is the term used in El Salvador for "gang." The phrase "*Salvatrucha*" is a combination
2 of the words "*Salva*," which is an abbreviation for "Salvadoran," and "*trucha*," which is a slang
3 term for the warning "fear us," "look out," or "heads up."

4 2. In the United States, MS-13 originated in Los Angeles, California, where, among
5 other things, MS-13 members engaged in turf wars for the control of drug distribution locations.
6 MS-13 quickly spread to states across the country, including Virginia, Maryland, Tennessee, and
7 North Carolina, as well as other cities in California, including San Francisco, and elsewhere.

8 3. MS-13 is a national and international criminal organization with over 10,000
9 members regularly conducting gang activities in at least twenty states and the District of
10 Columbia, as well as in Mexico, Honduras, Guatemala, and El Salvador. MS-13 is one of the
11 largest street gangs in the United States. Gang members actively recruit members, including
12 juveniles, from communities with a large number of immigrants from El Salvador. Members,
13 however, can also have ethnic heritage from other Central American countries. In the United
14 States, MS-13 has been functioning since at least the 1980s.

15 4. At all times relevant to this Indictment, in order to join MS-13, members were
16 required to complete an initiation process, often referred to as being "jumped in" or "beat in" to
17 the gang. During this initiation, members of MS-13 beat the new member, usually until a gang
18 member finishes counting to thirteen out loud.

19 5. At all times relevant to this Indictment, some members of MS-13 signified their
20 membership by wearing tattoos reading "MARA SALVATRUCHA," "MS," "MS-13," or similar
21 slogans, often written in Gothic lettering. The gang colors of MS-13 are blue, black, and white,
22 and members often wear clothing of these colors bearing the number "13," or with numbers that,
23 when added together, total thirteen, such as "76." Also, MS-13 members from time to time
24 marked their territory or signified their presence through the use of graffiti with the words "MS"
25 or other identifying slogans. More recently, some MS-13 members have more discreetly and less
26 publicly signified their membership by hiding and avoiding such clothing and tattoos in order to
27 avoid detection by law enforcement. MS-13 members refer to one another by their gang names
28 or other nicknames and may not know fellow gang members except by these gang names.

1 6. At all times relevant to the Indictment, members of MS-13 were expected to
2 protect the name, reputation, and status of the gang from rival gang members and other persons.
3 MS-13 members required that all individuals show respect and deference to the gang and its
4 membership. To protect the gang and to enhance its reputation, MS-13 members were expected
5 to use any means necessary to force respect from those who show disrespect, including acts of
6 intimidation and violence. MS-13's creed is exemplified by one of its mottos, "*Mata, roba,*
7 *viola, controlla,*" which translates in sum and substance to, "Kill, steal, rape, control."

8 7. At all times relevant to this Indictment, members of MS-13 engaged in criminal
9 activity, including murder, attempted murder, narcotics distribution, assault, robbery, extortion,
10 stealing vehicles, and obstructing justice by threatening and intimidating witnesses that they
11 believed to be cooperating with law enforcement. MS-13 members were required to commit acts
12 of violence to maintain membership and discipline within the gang, including violence against
13 rival gang members or those they perceived to be rival gang members, as well as MS-13
14 members and associates who violated the gang's rules. As a result of MS-13's frequent use of
15 violence, innocent persons were often injured or killed. Participation in criminal activity by an
16 MS-13 member, particularly violent acts directed at rival gang members or as ordered by the
17 gang leadership, increased the level of respect accorded that member, resulting in that member
18 maintaining or increasing his position in the gang, and possibly resulting in recognition as a
19 leader.

20 8. At all times relevant to this Indictment, MS-13 was organized in the Northern
21 District of California and elsewhere in "cliques," that is, smaller groups operating in a specific
22 city or region. MS-13 cliques sometimes worked together cooperatively to engage in criminal
23 activity and to assist one another in avoiding detection by law enforcement. The cliques operated
24 under the umbrella rules of MS-13. In the San Francisco Bay Area, these cliques include "20th
25 Street," which has as its geographic epicenter the vicinity of 20th Street and Mission Street in San
26 Francisco, and "*Pasadena Locos Sureños*," or "PLS," which is a clique that originated in the Los
27 Angeles area and which has the city of Richmond as its geographic epicenter in the San
28 Francisco Bay Area. Members of MS-13 in the San Francisco Bay Area often identify

1 themselves as "*Sureños*," a term that generally encompasses gang members who were born
2 outside the United States and who claim Southern California as their base. The principal,
3 although not the only, rivals to MS-13 in the San Francisco Bay Area are gang members who
4 identify themselves as "*Norteños*," a term that generally encompasses gang members who were
5 born in the United States and who claim Northern California as their base. Whereas MS-13 and
6 other *Sureño*-affiliated gangs claim blue as their gang color, *Norteños* claim the color red. One
7 of the principal rules of MS-13 is that its members must attack and kill *Norteños* and other rivals
8 whenever possible.

9 9. At all times relevant to this Indictment, MS-13 members attended gang meetings
10 on a regular basis. Leaders of MS-13 cliques from across California periodically met to discuss
11 gang rules and gang business, to resolve problems or issues involving the cliques, and to unite
12 gang members. In San Francisco, members met to discuss, plan, and report on, among other
13 things: gang organizational issues; illegal activity conducted on behalf of MS-13; acts of violence
14 committed by MS-13 members against rival gang members and others; law enforcement activity
15 against MS-13 members; and purging the gang of those suspected of cooperating with law
16 enforcement. Members from other areas sometimes attended San Francisco MS-13 meetings.

17 10. The leaders of individual MS-13 cliques are typically called "shot callers" or "*La*
18 *Palabra*." Above the "shot callers" are MS-13 leaders, often referred to as the "big homies,"
19 some of whom are incarcerated in El Salvador, who convey their orders through, among other
20 means, the use of telephones. The leaders of MS-13 resolve disputes between gang members,
21 address organizational issues, and participate in significant gang decisions such as whether to
22 assault or murder gang members, associates, and other individuals suspected of cooperating with
23 law enforcement.

24 11. At all times relevant to this Indictment, MS-13 members paid dues that were
25 collected at gang meetings. MS-13 members collected dues for the benefit of, and to be provided
26 to, MS-13 gang members who were imprisoned in the United States, in El Salvador, and
27 elsewhere. MS-13 members in San Francisco transferred funds to MS-13 members incarcerated
28 in prison in El Salvador. MS-13 members also collected dues to buy firearms that they used to

1 attack rivals and to conduct the affairs of MS-13.

2 12. At all times relevant to this Indictment, MS-13 members communicated about
3 gang activities with other MS-13 members in San Francisco and elsewhere using mobile
4 telephones, telephone text messages, notes or "kites," and other modes of communication.
5 Additionally, MS-13 members used transnational and international money wire transfers to
6 conduct and promote gang activities.

7 The Racketeering Enterprise

8 13. MS-13, including its leadership, members and associates, in the Northern District
9 of California, El Salvador, and elsewhere, constituted an "enterprise" as defined in Title 18,
10 United States Code, Section 1961(4), that is, a group of individuals associated in fact. The
11 enterprise constituted an ongoing organization whose members functioned as a continuing unit
12 that had a common purpose of achieving the objectives of the enterprise. The enterprise was
13 engaged in, and its activities affected, interstate and foreign commerce.

14 Purposes of the Enterprise

15 14. The purposes of the MS-13 enterprise included the following:

16 a. Preserving and protecting the power, territory, reputation, and profits of
17 the enterprise through the use of intimidation, violence, threats of violence, assaults, and murder;

18 b. Promoting and enhancing the enterprise and the activities of its members
19 and associates, including, but not limited to, murder, attempted murder, narcotics trafficking,
20 theft of vehicles, robberies, extortion, and other criminal activities;

21 c. Keeping victims, potential victims, and community members in fear of the
22 enterprise and its members and associates through violence and threats of violence;

23 d. Providing financial support and information to MS-13 members, including
24 those incarcerated in the United States and El Salvador; and

25 e. Providing assistance to other MS-13 members who committed crimes for
26 and on behalf of the gang, to hinder, obstruct, and prevent law enforcement officers from
27 identifying the offenders, apprehending the offenders, and successfully prosecuting and
28 punishing the offenders.

1 The Defendants

2 15. The defendant, IVAN CERNA, a/k/a "Tigre," is one of the more senior members
3 of MS-13 in the San Francisco Bay Area. CERNA has been a member of MS-13's 20th Street
4 clique since its inception. For a number of years, CERNA held the leadership of 20th Street.
5 While the leader of 20th Street, CERNA, among other things, led meetings and directed MS-13
6 members to do "work," that is, to attack and kill actual and suspected *Norteños*, as well as actual
7 and suspected members of other gangs. CERNA also counseled MS-13 gang members to
8 distribute narcotics and to identify and retaliate against individuals who were suspected of
9 cooperating with law enforcement. CERNA stepped down from his leadership position when
10 some members of MS-13 expressed dissatisfaction with his leadership of the gang, and CERNA
11 assumed a lower profile within the gang when he learned that he had attracted the attention of
12 law enforcement officers. Even so, CERNA remained in contact with members of the gang and
13 continues to have a prominent role in the conduct of MS-13.

14 16. The defendants, MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a
15 "Syco," and ANGEL NOEL GUEVARA, a/k/a "Peloncito," are members of MS-13's 20th Street
16 clique who succeeded IVAN CERNA, a/k/a "Tigre," to the leadership of 20th Street. Among
17 other things, CARCAMO and GUEVARA pushed the gang more aggressively to "tax," that is, to
18 extort money from, less powerful gangs, drug dealers, and other criminals, as well as to attack
19 and kill actual and suspected *Norteños*, as well as actual and suspected members of other gangs.
20 CARCAMO and GUEVARA also directed MS-13 gang members to distribute narcotics and to
21 identify and retaliate against individuals who were suspected of cooperating with law
22 enforcement. The day-to-day leadership provided by CARCAMO and GUEVARA diminished
23 when they were each arrested and jailed, but both continue to be engaged in the conduct of MS-
24 13 even while incarcerated.

25 17. The defendant, MORIS FLORES, a/k/a "Slow," a/k/a "Slow Pain," is a member
26 of MS-13's 20th Street clique who succeeded the defendants, MARVIN CARCAMO, a/k/a
27 "Cyco," a/k/a "Psycho," a/k/a "Syco," and ANGEL NOEL GUEVARA, a/k/a "Peloncito," as
28 leader of 20th Street. Among other things, FLORES continued to pursue the agenda set by

1 CARCAMO and GUEVARA, directing MS-13 members to "tax" other gangs, drug dealers, and
2 other criminals, to attack and kill actual and suspected *Norteños*, as well as actual and suspected
3 members of other gangs, to distribute narcotics, and to identify and retaliate against individuals
4 who were suspected of cooperating with law enforcement.

5 18. The defendants, GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky,"
6 JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado," WALTER CRUZ-ZAVALA, a/k/a "Sombra,"
7 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon," DANIEL PORTILLO, a/k/a "Rustin," a/k/a
8 "Rooster," ERICK LOPEZ, a/k/a "Spooky," WALTER CHINCHILLA-LINAR, a/k/a
9 "Demonio," CESAR ALVARADO, a/k/a "Momia," ABRAHAM MARTINEZ, a/k/a "Goofy,"
10 JOSE ALVARADO, a/k/a "Joker," DOUGLAS LARGAESPADA, a/k/a "Droopy," WILBERT
11 CASTILLO, a/k/a "Cypress," JOSE QUINTEROS, a/k/a "Fantasma," MELVIN MALDONADO,
12 a/k/a "Estrano," a/k/a "Stranger," MANUEL FRANCO, a/k/a "Dreamer," RODRIGO MOLINA,
13 a/k/a "Lil Payaso," a/k/a "Payaso," and MAURICIO URIAS, a/k/a "Puppet," are all members of
14 MS-13's 20th Street clique. The defendant, CARLOS GARRIDO, a/k/a "Tweety," is a member
15 of MS-13's PLS clique. Among other things, as members of MS-13, HERRERA, CRUZ-
16 RAMIREZ, CRUZ-ZAVALA, PALMA, PORTILLO, LOPEZ, GARRIDO, CHINCHILLA-
17 LINAR, CESAR ALVARADO, MARTINEZ, JOSE ALVARADO, LARGAESPADA,
18 CASTILLO, QUINTEROS, MALDONADO, FRANCO, MOLINA, and URIAS discussed and
19 agreed to "tax" other gangs, drug dealers, and other criminals, to attack and kill actual and
20 suspected *Norteños*, as well as actual and suspected members of other gangs, to distribute
21 narcotics, and to identify and retaliate against individuals who were suspected of cooperating
22 with law enforcement.

23 19. The defendants, who encompass both the membership and the leadership of MS-
24 13, acted individually, with each other, and also with non-member MS-13 associates in the
25 commission of racketeering activities and other criminal conduct.

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1 The Racketeering Conspiracy

2 20. Beginning on a date unknown to the Grand Jury but since at least the late 1990s,
3 and continuing up through and including the present, in the Northern District of California and
4 elsewhere, the defendants

5 IVAN CERNA, a/k/a "Tigre,"

6 MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco,"

7 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"

8 MORIS FLORES, a/k/a "Slow," a/k/a "Slow Pain,"

9 GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky,"

10 JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"

11 WALTER CRUZ-ZAVALA, a/k/a "Sombra,"

12 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"

13 DANIEL PORTILLO, a/k/a "Rustin," a/k/a "Rooster,"

14 ERICK LOPEZ, a/k/a "Spooky,"

15 CARLOS GARRIDO, a/k/a "Tweety,"

16 WALTER CHINCHILLA-LINAR, a/k/a "Demonio,"

17 CESAR ALVARADO, a/k/a "Momia,"

18 ABRAHAM MARTINEZ, a/k/a "Goofy,"

19 JOSE ALVARADO, a/k/a "Joker,"

20 DOUGLAS LARGAESPADA, a/k/a "Droopy,"

21 WILBERT CASTILLO, a/k/a "Cypress,"

22 JOSE QUINTEROS, a/k/a "Fantasma,"

23 MELVIN MALDONADO, a/k/a "Estrano," a/k/a "Stranger,"

24 MANUEL FRANCO, a/k/a "Dreamer,"

25 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso," and

26 MAURICIO URIAS, a/k/a "Puppet,"

27 together with others known and unknown, each being a person employed by and associated with
28 MS-13, an enterprise engaged in, and the activities of which affected, interstate and foreign

1 commerce, unlawfully, knowingly, and intentionally did conspire to violate Title 18, United
2 States Code, Section 1962(c), that is to conduct and participate, directly and indirectly, in the
3 conduct of the affairs of the MS-13 enterprise through a pattern of racketeering activity, as
4 defined in Title 18, United States Code, Sections 1961(1) and (5), which pattern of racketeering
5 activity consisted of multiple acts involving offenses chargeable under the following provisions
6 of California law:

- 7 a. Murder, attempted murder, conspiracy to commit murder, and solicitation
8 of murder, in violation of California Penal Code §§ 187, 188, 189, 182,
9 21a, 664, and 653f;
- 10 b. Robbery, attempted robbery, and conspiracy to commit robbery, in
11 violation of California Penal Code §§ 211, 212.5, 213, 182, 21a, and 664;
- 12 c. Extortion, attempted extortion, and conspiracy to commit extortion, in
13 violation of California Penal Code §§ 518, 519, 520, 524, and 182;

14 and multiple acts involving the following provisions of federal narcotics law:

- 15 d. 21 U.S.C. § 846 (Conspiracy to Distribute and Possess with Intent to
16 Distribute Controlled Substances);
- 17 e. 21 U.S.C. § 841(a)(1) (Distribution and Possession with Intent to
18 Distribute Methamphetamine and Cocaine);
- 19 f. 21 U.S.C. § 843(b) (Use of Communication Facility to Facilitate
20 Distribution of Controlled Substances);

21 and multiple acts indictable under the following provisions of federal law:

- 22 g. 18 U.S.C. § 1951 (Robbery and Extortion Affecting Interstate Commerce);
- 23 h. 18 U.S.C. § 1512 (Witness Retaliation and Tampering);
- 24 i. 18 U.S.C. § 1503 (Obstruction of Justice);
- 25 j. 18 U.S.C. § 2312 (Interstate Transportation of Stolen Vehicles).

26 21. It was part of the conspiracy that each defendant agreed that a conspirator would
27 commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

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1 Manner and Means of the Conspiracy

2 22. It was part of the manner and means of the conspiracy that the defendants, as gang
3 members of MS-13, were required to have and did have regular meetings with other MS-13 gang
4 members to discuss, among other things: the structure and organization of the gang; past criminal
5 acts committed against rival gang members and others; MS-13 members who were arrested or
6 incarcerated; the disciplining of MS-13 members; police interactions with MS-13 members; the
7 identities of individuals suspected of cooperating with law enforcement and the proposed actions
8 to be taken against them; plans and agreements regarding the commission of future crimes,
9 including murder, extortion, narcotics distribution, robbery, illegal possession of firearms, and
10 assault, as well as ways to conceal these crimes; and the enforcement of gang rules.

11 23. It was further part of the manner and means of the conspiracy that the defendants
12 and other members and associates of MS-13 agreed to purchase, maintain, and circulate a
13 collection of firearms for use in criminal activity by MS-13 members.

14 24. It was further part of the manner and means of the conspiracy that the defendants
15 and other members and associates of MS-13 agreed that acts of violence, including murder,
16 attempted murder, and assault, would be committed by members and associates of MS-13 against
17 rival gang members and others when it suited the enterprise's purposes. MS-13 members also
18 used violence to impose discipline within the gang.

19 25. It was further part of the manner and means of the conspiracy that the defendants
20 and other members and associates of MS-13 agreed to distribute narcotics, to use the telephone to
21 facilitate narcotics distribution, to commit robbery, extortion, and other crimes, and to conceal
22 their criminal activities by obstructing justice, threatening or intimidating witnesses, and other
23 means.

24 Overt Acts

25 26. In furtherance of the conspiracy and to achieve the objectives thereof, at least one
26 conspirator performed or caused to be performed at least one of the following overt acts, among
27 others, in the Northern District of California and elsewhere:

28 (1) On or about August 1, 2005, in San Francisco, California, IVAN CERNA,

1 a/k/a "Tigre," MARVIN CARCAMO, a/k/a "Cyco," "Psycho," a/k/a "Syco," and others known
2 and unknown, held a meeting to discuss MS-13 gang business.

3 (2) On or about August 4, 2005, in San Francisco, California, WALTER
4 PALMA, a/k/a "Kapone," a/k/a "Capon," shot and wounded a person ("Victim-1").

5 (3) On or about August 13, 2005, in San Francisco, California, IVAN
6 CERNA, a/k/a "Tigre," led a meeting of MS-13 gang members at which MS-13 gang business
7 was discussed, including the MS-13 rule requiring the killing of those who cooperate with law
8 enforcement.

9 (4) On or about August 15, 2005, IVAN CERNA, a/k/a "Tigre," authorized
10 the sale of a firearm by an MS-13 member.

11 (5) On or about August 22, 2005, WILBERT CASTILLO, a/k/a "Cypress,"
12 sold a firearm.

13 (6) On or about September 10, 2005, in San Francisco, California, MARVIN
14 CARCAMO a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," ANGEL NOEL GUEVARA, a/k/a
15 "Peloncito," MORIS FLORES, a/k/a "Slow," a/k/a "Slow Pain," DOUGLAS LARGAESPADA,
16 a/k/a "Droopy," WILBERT CASTILLO, a/k/a "Cypress," JOSE QUINTEROS, a/k/a
17 "Fantasma," and others known and unknown, attended a meeting to discuss MS-13 gang
18 business, during which a new member was jumped in.

19 (7) On or about October 27, 2005, in San Francisco, California, WALTER
20 PALMA, a/k/a "Kapone," a/k/a "Capon," WILBERT CASTILLO, a/k/a "Cypress," JOSE
21 QUINTEROS, a/k/a "Fantasma," and others were riding together in a car.

22 (8) On or about October 27, 2005, in San Francisco, California, JOSE
23 QUINTEROS, a/k/a "Fantasma," possessed a dagger.

24 (9) On or about October 29, 2005, in San Francisco, California, WALTER
25 PALMA, a/k/a "Kapone," a/k/a "Capon," shot and wounded three people ("Victim-2," "Victim-
26 3," and "Victim-4").

27 (10) On or about November 2, 2005, in San Francisco, California, WALTER
28 PALMA, a/k/a "Kapone," a/k/a "Capon," possessed a firearm.

1 (11) On or about December 9, 2005, in South San Francisco, California,
2 DANIEL PORTILLO, a/k/a "Rustin," a/k/a Rooster," shot and wounded a person ("Victim-5).

3 (12) On or about January 8, 2006, in San Francisco, California, ERICK
4 LOPEZ, a/k/a "Spooky," CARLOS GARRIDO, a/k/a "Tweety," and others known and unknown,
5 surrounded two people who were then shot and wounded.

6 (13) On or about February 4, 2006, in San Francisco, California, MELVIN
7 MALDONADO, a/k/a "Estrano," a/k/a "Stranger," assaulted a person with an automobile
8 steering wheel lock commonly called "The Club."

9 (14) On or about February 25, 2006, in San Francisco, California, CARLOS
10 GARRIDO, a/k/a "Tweety," possessed a firearm.

11 (15) In or about early April 2006, IVAN CERNA, a/k/a "Tigre," approved the
12 purchase of a firearm.

13 (16) On or about April 8, 2006, in San Francisco, California, WILBERT
14 CASTILLO, a/k/a "Cypress," MANUEL FRANCO, a/k/a "Dreamer," RODRIGO MOLINA,
15 a/k/a "Lil Payaso," a/k/a "Payaso," and others known and unknown, fought with members of a
16 rival gang.

17 (17) On or about April 21, 2006, in San Francisco, California, IVAN CERNA,
18 a/k/a "Tigre," discussed a variety of MS-13 gang business, including the necessity for the gang's
19 members to arm themselves, the difficulty of "taxing" other gangs, and his disillusionment with
20 most of the gang's leaders in El Salvador.

21 (18) On or about April 21, 2006, in San Francisco, California, IVAN CERNA,
22 a/k/a "Tigre," and others known and unknown, met with members of another gang and advised
23 them, among other things, that they and MS-13 needed to support each other.

24 (19) On or about June 8, 2006, MARVIN CARCAMO, a/k/a "Cyco," a/k/a
25 "Psycho," a/k/a "Syco," JOSE QUINTEROS, a/k/a "Fantasma," and other known and unknown,
26 traveled from the San Francisco Bay Area to Reno, Nevada, to meet with other MS-13 members,
27 including Rene Montes-Mayorga, a/k/a "Negro."

28 (20) On or about July 3, 2006, in San Francisco, California, MARVIN

1 CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," and DOUGLAS LARGAESPADA,
2 a/k/a "Droopy," beat and attempted to rob a person.

3 (21) On or about October 13, 2006, in Richmond, California, RODRIGO
4 MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso," and Marlon Lumang delivered a stolen 1998
5 Honda Civic to a law enforcement officer operating in an undercover capacity ("UC-1").

6 (22) On or about October 19, 2006, in Richmond, California, RODRIGO
7 MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso," delivered a stolen 1992 Honda Civic to UC-1.

8 (23) On or about October 19, 2006, in Richmond, California, MARVIN
9 CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," and Marlon Lumang delivered a stolen
10 2000 Honda Civic to UC-1.

11 (24) On or about November 13, 2006, in Richmond, California, WALTER
12 PALMA, a/k/a "Kapone," a/k/a "Capon," delivered a stolen 2001 Chevrolet Suburban to UC-1.

13 (25) On or about December 1, 2006, in Richmond, California, WALTER
14 PALMA, a/k/a "Kapone," a/k/a "Capon," and RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a
15 "Payaso," delivered a stolen 2004 Toyota Matrix to UC-1.

16 (26) On or about December 11, 2006, Richmond, California, WALTER
17 PALMA, a/k/a "Kapone," a/k/a "Capon," and RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a
18 "Payaso," delivered two stolen 2003 Toyota Matrixes to UC-1.

19 (27) On or about January 9, 2007, in Richmond, California, WALTER
20 PALMA, a/k/a "Kapone," a/k/a "Capon," and RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a
21 "Payaso," received payment for the sale of two stolen automobiles.

22 (28) On or about February 9, 2007, in San Francisco, California, members of
23 MS-13 gathered for the purpose of meeting with members of another gang to discuss, among
24 other things, the "taxing" of drug dealers in the Tenderloin District.

25 (29) On or about February 13, 2007, in San Francisco, California, MARVIN
26 CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," ANGEL NOEL GUEVARA, a/k/a
27 "Peloncito," and others known and unknown, beat and robbed a drug dealer who refused to pay
28 "tax."

1 (30) On or about February 16, 2007, in San Francisco, California, MARVIN
2 CARCAMO a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," and ANGEL NOEL GUEVARA, a/k/a
3 "Peloncito," met with leaders of another gang to negotiate, among other things, the "taxing" of
4 drug dealers in the Tenderloin District.

5 (31) On or about April 18, 2007, in San Francisco, California, RODRIGO
6 MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso," sold cocaine base, in a form commonly known as
7 "crack," to a police officer operating in an undercover capacity.

8 (32) On or about May 12, 2007, in Oakland, California, MARVIN CARCAMO
9 a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," possessed a firearm.

10 (33) On or about June 13, 2007, in San Francisco, California, an unindicted co-
11 conspirator shot and wounded a person.

12 (34) On or about July 13, 2007, in San Francisco, California, MAURICIO
13 URIAS, a/k/a "Puppet," distributed a quantity of cocaine.

14 (35) On or about August 17, 2007, in San Francisco, California, MAURICIO
15 URIAS, a/k/a "Puppet," distributed a quantity of cocaine.

16 (36) On or about August 22, 2007, in San Francisco, California, IVAN
17 CERNA, a/k/a "Tigre," WALTER PALMA, a/k/a "Kapone," a/k/a "Capon," ABRAHAM
18 MARTINEZ, a/k/a "Goofy," JOSE ALVARADO, a/k/a "Joker," and others known and
19 unknown, attended a gang meeting during which they discussed, among other things, the
20 collection of gang dues from members, dissension within the gang, gang rules, and the
21 enforcement of discipline within the gang.

22 (37) On or about August 26, 2007, in San Francisco, California, IVAN
23 CERNA, a/k/a "Tigre," MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco,"
24 ANGEL NOEL GUEVARA, a/k/a "Peloncito," MORIS FLORES, a/k/a "Slow," a/k/a "Slow
25 Pain," WALTER PALMA, a/k/a "Kapone," a/k/a "Capon," JOSE ALVARADO, a/k/a "Joker,"
26 and others known and unknown, attended a gang meeting during which they discussed, among
27 other things, problems among MS-13 cliques in the Los Angeles, California area, consulting with
28 leaders in El Salvador about gang business, other gangs' resistance to paying MS-13's "tax," and

1 obtaining money to purchase firearms through the sale of narcotics.

2 (38) On or about September 4, 2007, in San Francisco, California, MARVIN
3 CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," ordered MS-13 members known and
4 unknown to go to the Tenderloin District and collect "tax" from drug dealers.

5 (39) On or about September 4, 2007, in San Francisco, California, MARVIN
6 CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," received "tax" money collected by
7 other MS-13 members.

8 (40) On or about September 4, 2007, in San Francisco, California, ANGEL
9 NOEL GUEVARA, a/k/a "Peloncito," received narcotics that other MS-13 members took from
10 drug dealers.

11 (41) On or about September 13, 2007, in San Francisco, California, following
12 an MS-13 gang meeting, MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco,"
13 ANGEL NOEL GUEVARA, a/k/a "Peloncito," MORIS FLORES, a/k/a "Slow," a/k/a "Slow
14 Pain," and others known and unknown, went to the Tenderloin District to kill the leaders of a
15 rival gang.

16 (42) On or about September 14, 2007, in San Francisco, California,
17 MAURICIO URIAS, a/k/a "Puppet," distributed a quantity of cocaine.

18 (43) On or about December 26, 2007, in San Francisco, California, ANGEL
19 NOEL GUEVARA, a/k/a "Peloncito," and an accomplice stabbed and wounded a person
20 ("Victim-6").

21 (44) On or about December 26, 2007, in San Francisco, California, ANGEL
22 NOEL GUEVARA, a/k/a "Peloncito," and an accomplice stabbed and wounded two people
23 ("Victim-7" and "Victim-8").

24 (45) On or about January 22, 2008, in San Francisco, California, MAURICIO
25 URIAS, a/k/a "Puppet," distributed a quantity of cocaine.

26 (46) On or about January 28, 2008, in San Francisco, California, MORIS
27 FLORES, a/k/a "Slow," a/k/a "Slow Pain," JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"
28 WALTER CRUZ-ZAVALA, a/k/a "Sombra," and others known and unknown attended an MS-

1 13 gang meeting and discussed, among other things, the failure of a rival gang to pay MS-13's
2 "tax" and the need to assassinate one of the captains of the rival gang ("Victim-9").

3 (47) On or about February 8, 2008, in San Francisco, California, MORIS
4 FLORES, a/k/a "Slow," a/k/a "Slow Pain," led an MS-13 gang meeting attended by others
5 known and unknown and, among other things, discussed the assassination of Victim-9.

6 (48) On or about March 29, 2008, in San Francisco, California, WALTER
7 CHINCHILLA-LINAR, a/k/a "Demonio," shot at several people.

8 (49) On or about March 30, 2008, in San Francisco, California, ERICK
9 LOPEZ, a/k/a "Spooky," possessed a firearm.

10 (50) On or about May 17, 2008, in San Francisco, California, MORIS
11 FLORES, a/k/a "Slow," a/k/a "Slow Pain," and others known and unknown, flashed gang signs
12 at passing motorists.

13 (51) On or about June 2, 2008, in San Francisco, California, MORIS FLORES,
14 a/k/a "Slow," a/k/a "Slow Pain," ordered several MS-13 gang members to collect "tax" from
15 drug dealers in the Tenderloin District.

16 (52) On or about June 2, 2008, in San Francisco, California, GUILLERMO
17 HERRERA, a/k/a "Shorty," a/k/a "Sparky," JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"
18 WALTER CRUZ-ZAVALA, a/k/a "Sombra," WALTER CHINCHILLA-LINAR, a/k/a
19 "Demonio," and others known and unknown, traveled to the Tenderloin District to collect money
20 forcibly from drug dealers.

21 (53) On or about June 2, 2008, in San Francisco, California, WALTER CRUZ-
22 ZAVALA, a/k/a "Sombra," brandished a knife at a drug dealer.

23 (54) On or about June 9, 2008, in San Francisco, California, GUILLERMO
24 HERRERA, a/k/a "Shorty," a/k/a "Sparky," WALTER CRUZ-ZAVALA, a/k/a "Sombra," and
25 others known and unknown, forcibly collected money from drug dealers in the Tenderloin
26 District.

27 (55) On or about June 19, 2008, in San Francisco, California, JOSE
28 MARTINEZ, a/k/a "Goofy," JOSE ALVARADO, a/k/a "Joker," and DOUGLAS

1 LARGAESPADA, a/k/a "Droopy," stabbed and wounded a person ("Victim-10").

2 (56) On or about August 25, 2008, in San Francisco, California, CESAR
3 ALVARADO, a/k/a "Momia," discussed the "taxing" of drug dealers in the Tenderloin District
4 with other MS-13 gang members.

5 (57) On or about July 11, 2008, in San Francisco, California, GUILLERMO
6 HERRERA, a/k/a "Shorty," a/k/a "Sparky," shot and killed a person ("Victim-11").

7 (58) On or about July 11, 2008, in Oakland, California, MANUEL FRANCO,
8 a/k/a "Dreamer," picked up GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky," and
9 others known and unknown and drove them to San Francisco.

10 (59) On or about July 25, 2008, in San Francisco, California, JONATHAN
11 CRUZ-RAMIREZ, a/k/a "Soldado," possessed a firearm.

12 (60) On or about July 31, 2008, WALTER CHINCHILLA-LINAR, a/k/a
13 "Demonio," CESAR ALVARADO, a/k/a "Momia," and others known and unknown, robbed a
14 person and robbed and killed another person.

15 (61) On or about August 11, 2008, WALTER PALMA, a/k/a "Kapone," a/k/a
16 "Capon," possessed two loaded firearms.

17 (62) In or about the first half of August 2008, an unindicted co-conspirator who
18 is an MS-13 gang leader in El Salvador called a potential witness (the "Witness") in the San
19 Francisco Bay Area.

20 (63) On or about August 18, 2008, in the San Francisco Bay Area, California,
21 MORIS FLORES, a/k/a "Slow," a/k/a "Slow Pain," WALTER CHINCHILLA-LINAR, a/k/a
22 "Demonio," and others known and unknown, drove by the home of a relative of the Witness.

23 (64) On or about August 25, 2008, in San Francisco, California, MORIS
24 FLORES, a/k/a "Slow," a/k/a "Slow Pain," and others known and unknown were in a car
25 following the Witness as the Witness rode on a bus.

26 (65) On or about August 28, 2008, in the San Francisco Bay Area, MORIS
27 FLORES, a/k/a "Slow," a/k/a "Slow Pain," sat in a car outside the Witness's home and sent a
28 text message to the Witness requesting that the Witness come out.

1 All in violation of Title 18, United States Code, Section 1962(d).

2 COUNT TWO: (18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid
3 of Racketeering)

4 27. Paragraphs 1 through 19 and 22 through 26 of this Indictment are realleged and
5 incorporated by reference as though fully set forth herein.

6 28. At all times relevant to this Indictment, MS-13 constituted an enterprise as
7 defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals
8 associated in fact that was engaged in, and the activities of which affected, interstate and foreign
9 commerce. The enterprise constituted an ongoing organization whose members functioned as a
10 continuing unit for a common purpose of achieving the objectives of the enterprise.

11 29. At all times relevant to this Indictment, MS-13, the above-described enterprise,
12 through its members and associates, engaged in racketeering activity, as defined in Title 18,
13 United States Code, Sections 1959(b)(1) and 1961(1), namely: murder, attempted murder,
14 conspiracy to commit murder, and solicitation of murder, in violation of California Penal Code,
15 Sections 187, 188, 189, 182, 21a, 664, and 653f; robbery, attempted robbery, and conspiracy to
16 commit robbery, in violation of California Penal Code, Sections 211, 212.5, 213, 182, 21a, and
17 664; extortion, attempted extortion, and conspiracy to commit extortion, in violation of
18 California Penal Code, Sections 518, 519, 520, 524, and 182; conspiracy to distribute and to
19 possess with intent to distribute controlled substances, in violation of Title 21, United States
20 Code, Section 846; distribution and possession with intent to distribute methamphetamine and
21 cocaine, in violation of Title 21, United States Code, Section 841(a)(1); robbery and extortion
22 affecting interstate commerce, attempted robbery and attempted extortion affecting interstate
23 commerce, and conspiracy to commit robbery and conspiracy to commit extortion affecting
24 interstate commerce, in violation of Title 18, United States Code, Section 1951; witness
25 retaliation and witness tampering, in violation of Title 18, United States Code, Section 1512;
26 obstruction of justice, in violation of Title 18, United States Code, Section 1503; and interstate
27 transportation of stolen vehicles, in violation of Title 18, United States Code, Section 2312.

28 30. Beginning on a date unknown to the Grand Jury but since at least the late 1990s,

1 and continuing up through and including the present, in the Northern District of California and
2 elsewhere, as consideration for the receipt of, and as consideration for a promise and agreement
3 to pay, anything of pecuniary value from MS-13, and for the purpose of gaining entrance to and
4 maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, the
5 defendants

6 IVAN CERNA, a/k/a "Tigre,"

7 MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco,"

8 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"

9 MORIS FLORES, a/k/a "Slow," a/k/a "Slow Pain,"

10 GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky,"

11 JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"

12 WALTER CRUZ-ZAVALA, a/k/a "Sombra,"

13 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"

14 DANIEL PORTILLO, a/k/a "Rustin," a/k/a "Rooster,"

15 ERICK LOPEZ, a/k/a "Spooky,"

16 CARLOS GARRIDO, a/k/a "Tweety,"

17 WALTER CHINCHILLA-LINAR, a/k/a "Demonio,"

18 CESAR ALVARADO, a/k/a "Momia,"

19 ABRAHAM MARTINEZ, a/k/a "Goofy,"

20 JOSE ALVARADO, a/k/a "Joker,"

21 DOUGLAS LARGAESPADA, a/k/a "Droopy,"

22 WILBERT CASTILLO, a/k/a "Cypress,"

23 JOSE QUINTEROS, a/k/a "Fantasma,"

24 MELVIN MALDONADO, a/k/a "Estrano," a/k/a "Stranger,"

25 MANUEL FRANCO, a/k/a "Dreamer,"

26 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso," and

27 MAURICIO URIAS, a/k/a "Puppet,"

28 together with others known and unknown, unlawfully, knowingly, and intentionally did combine,

1 conspire, confederate, and agree together and with each other to commit murder, in violation of
2 California Penal Code Sections 187, 188, and 189, to wit, the defendants agreed together and
3 with each other to kill actual and suspected *Norteños*, actual and suspected members of other
4 gangs, and individuals suspected of cooperating with law enforcement, in order to maintain and
5 increase their standing within the racketeering enterprise known as MS-13.

6 All in violation of Title 18, United States Code, Section 1959(a)(5).

7 COUNT THREE: (18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a
8 Dangerous Weapon in Aid of Racketeering)

9 31. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
10 realleged and incorporated by reference as though fully set forth herein.

11 32. Beginning on a date unknown to the Grand Jury but since at least the late 1990s,
12 and continuing up through and including the present, in the Northern District of California and
13 elsewhere, as consideration for the receipt of, and as consideration for a promise and agreement
14 to pay, anything of pecuniary value from MS-13, and for the purpose of gaining entrance to and
15 maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, the
16 defendants

17 IVAN CERNA, a/k/a "Tigre,"

18 MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco,"

19 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"

20 MORIS FLORES, a/k/a "Slow," a/k/a "Slow Pain,"

21 GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky,"

22 JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"

23 WALTER CRUZ-ZAVALA, a/k/a "Sombra,"

24 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"

25 DANIEL PORTILLO, a/k/a "Rustin," a/k/a "Rooster,"

26 ERICK LOPEZ, a/k/a "Spooky,"

27 CARLOS GARRIDO, a/k/a "Tweety,"

28 WALTER CHINCHILLA-LINAR, a/k/a "Demonio,"

1 CESAR ALVARADO, a/k/a "Momia,"
2 ABRAHAM MARTINEZ, a/k/a "Goofy,"
3 JOSE ALVARADO, a/k/a "Joker,"
4 DOUGLAS LARGAESPADA, a/k/a "Droopy,"

5 WILBERT CASTILLO, a/k/a "Cypress,"

6 JOSE QUINTEROS, a/k/a "Fantasma,"

7 MELVIN MALDONADO, a/k/a "Estrano," a/k/a "Stranger,"

8 MANUEL FRANCO, a/k/a "Dreamer,"

9 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso," and

10 MAURICIO URIAS, a/k/a "Puppet,"

11 together with others known and unknown, unlawfully, knowingly, and intentionally did combine,
12 conspire, confederate, and agree together and with each other to commit assault with a dangerous
13 weapon, in violation of California Penal Code Section 245(a)(1), to wit, the defendants agreed
14 together and with each other to attack with firearms, knives, and other dangerous weapons actual
15 and suspected *Norteños*, actual and suspected members of other gangs, and individuals suspected
16 of cooperating with law enforcement, in order to maintain and increase their standing within the
17 racketeering enterprise known as MS-13.

18 All in violation of Title 18, United States Code, Section 1959(a)(6).

19 COUNT FOUR: (18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in
20 Furtherance of Crime of Violence)

21 33. Beginning on a date unknown to the Grand Jury but since at least the late 1990s,
22 and continuing up through and including the present, in the Northern District of California and
23 elsewhere, the defendants

24 IVAN CERNA, a/k/a "Tigre,"

25 MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco,"

26 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"

27 MORIS FLORES, a/k/a "Slow," a/k/a "Slow Pain,"

1 JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"

2 WALTER CRUZ-ZAVALA, a/k/a "Sombra,"

3 ERICK LOPEZ, a/k/a "Spooky,"

4 CARLOS GARRIDO, a/k/a "Tweety,"

5 WALTER CHINCHILLA-LINAR, a/k/a "Demonio,"

6 CESAR ALVARADO, a/k/a "Momia,"

7 ABRAHAM MARTINEZ, a/k/a "Goofy,"

8 JOSE ALVARADO, a/k/a "Joker,"

9 DOUGLAS LARGAESPADA, a/k/a "Droopy,"

10 WILBERT CASTILLO, a/k/a "Cypress,"

11 JOSE QUINTEROS, a/k/a "Fantasma,"

12 MELVIN MALDONADO, a/k/a "Estrano," a/k/a "Stranger,"

13 MANUEL FRANCO, a/k/a "Dreamer,"

14 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso," and

15 MAURICIO URIAS, a/k/a "Puppet,"

16 together with others known and unknown, unlawfully, willfully, and knowingly did use and carry
17 a firearm during and in relation to a crime of violence for which they may be prosecuted in a
18 court of the United States, namely, the MS-13 racketeering conspiracy charged in Count One of
19 this Indictment, the conspiracy to commit murder in aid of racketeering charged in Count Two of
20 this Indictment, and the conspiracy to commit assault with a dangerous weapon in aid of
21 racketeering charged in Count Three of this Indictment, and did possess a firearm in furtherance
22 of the offenses charged in Count One, Count Two, and Count Three of this Indictment, and did
23 brandish a firearm in furtherance of the offenses charged in Count One, Count Two, and Count
24 Three of this Indictment, and did discharge a firearm in furtherance of the offenses charged in
25 Count One, Count Two, and Count Three of this Indictment.

26 All in violation of Title 18, United States Code, Section 924(c)(1)(A) and 2.

27 //

28 //

1 COUNT FIVE: (18 U.S.C. § 1959(a)(3) — Assault with a Dangerous Weapon in
2 Aid of Racketeering of Victim-6)

3 34. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
4 realleged and incorporated by reference as though fully set forth herein.

5 35. On or about December 26, 2007, in the Northern District of California, as
6 consideration for the receipt of, and as consideration for a promise and agreement to pay,
7 anything of pecuniary value from MS-13, and for the purpose of gaining entrance to and
8 maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, the
9 defendant

10 ANGEL NOEL GUEVARA, a/ka "Peloncito,"
11 unlawfully, knowingly, and intentionally did assault Victim-6 with a dangerous weapon, in
12 violation of California Penal Code Section 245(a)(1).

13 All in violation of Title 18, United States Code, Section 1959(a)(3).

14 COUNT SIX: (18 U.S.C. § 1959(a)(3) — Assault with a Dangerous Weapon in
15 Aid of Racketeering of Victim-7)

16 36. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
17 realleged and incorporated by reference as though fully set forth herein.

18 37. On or about December 26, 2007, in the Northern District of California, as
19 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
20 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
21 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

22 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"
23 unlawfully, knowingly, and intentionally did assault Victim-7 with a dangerous weapon, in
24 violation of California Penal Code Section 245(a)(1).

25 All in violation of Title 18, United States Code, Section 1959(a)(3).

26 COUNT SEVEN: (18 U.S.C. § 1959(a)(5) — Attempted Murder in Aid of
27 Racketeering of Victim-7)

28 38. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are

1 realleged and incorporated by reference as though fully set forth herein.

2 39. On or about December 26, 2007, in the Northern District of California, as
3 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
4 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
5 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

6 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"
7 unlawfully, knowingly, and intentionally did attempt to murder Victim-7, in violation of
8 California Penal Code Sections 187, 188, 189, 21a, and 664.

9 All in violation of Title 18, United States Code, Section 1959(a)(5).

10 COUNT EIGHT: (18 U.S.C. §§ 1959(a)(3) and 2 — Assault with a Dangerous
11 Weapon in Aid of Racketeering of Victim-8)

12 40. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
13 realleged and incorporated by reference as though fully set forth herein.

14 41. On or about December 26, 2007, in the Northern District of California, as
15 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
16 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
17 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

18 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"
19 unlawfully, knowingly, and intentionally did assault Victim-8 with a dangerous weapon, in
20 violation of California Penal Code Sections 245(a)(1) and 31.

21 All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

22 COUNT NINE: (18 U.S.C. §§ 1959(a)(5) and 2 — Attempted Murder in Aid of
23 Racketeering of Victim-8)

24 42. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
25 realleged and incorporated by reference as though fully set forth herein.

26 43. On or about December 26, 2007, in the Northern District of California, as
27 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
28 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and

1 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

2 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"

3 unlawfully, knowingly, and intentionally did attempt to murder Victim-8, in violation of

4 California Penal Code Sections 187, 188, 189, 21a, 664, and 31.

5 All in violation of Title 18, United States Code, Sections 1959(a)(5) and 2.

6 COUNT TEN: (18 U.S.C. § 1959(a)(1) — Murder in Aid of Racketeering of

7 Victim-11)

8 44. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
9 realleged and incorporated by reference as though fully set forth herein.

10 45. On or about July 11, 2008, in the Northern District of California, as consideration
11 for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary
12 value from MS-13, and for the purpose of gaining entrance to and maintaining and increasing
13 position in MS-13, an enterprise engaged in racketeering activity, the defendant

14 GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky,"

15 together with others known and unknown, unlawfully, knowingly, and intentionally did
16 deliberately and with premeditation murder Victim-11, in violation of California Penal Code
17 Sections 187, 188, and 189.

18 All in violation of Title 18, United States Code, Section 1959(a)(1).

19 COUNT ELEVEN: (18 U.S.C. § 924(c)(1)(A) — Use/Possession of Firearm in

20 Furtherance of Crime of Violence)

21 46. On or about July 11, 2008, in the Northern District of California, the defendant

22 GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky,"

23 together with others known and unknown, unlawfully, willfully, and knowingly did use and carry
24 a firearm during and in relation to a crime of violence for which he may be prosecuted in a court
25 of the United States, namely, the murder in aid of racketeering of Victim-11 charged in Count Ten
26 of this Indictment, and did possess a firearm in furtherance of the offense charged in Count Ten of
27 this Indictment, and did brandish a firearm in furtherance of the offense charged in Count Ten of
28 this Indictment, and did discharge a firearm in furtherance of the offense charged in Count Ten of

1 this Indictment.

2 All in violation of Title 18, United States Code, Section 924(c)(1)(A).

3 COUNT TWELVE: (18 U.S.C. § 1959(a)(3) — Assault with a Dangerous Weapon in
4 Aid of Racketeering of Victim-1)

5 47. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
6 realleged and incorporated by reference as though fully set forth herein.

7 48. On or about August 4, 2005, in the Northern District of California, as
8 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
9 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
10 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant
11 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
12 unlawfully, knowingly, and intentionally did assault Victim-1 with a dangerous weapon, in
13 violation of California Penal Code Section 245(a)(1).

14 All in violation of Title 18, United States Code, Section 1959(a)(3).

15 COUNT THIRTEEN: (18 U.S.C. § 1959(a)(5) — Attempted Murder in Aid of
16 Racketeering of Victim-1)

17 49. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
18 realleged and incorporated by reference as though fully set forth herein.

19 50. On or about August 4, 2005, in the Northern District of California, as
20 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
21 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
22 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

23 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
24 unlawfully, knowingly, and intentionally did attempt to murder Victim-1, in violation of
25 California Penal Code Sections 187, 188, 189, 21a, and 664.

26 All in violation of Title 18, United States Code, Section 1959(a)(5).

27 //

28 //

1 COUNT FOURTEEN: (18 U.S.C. § 924(c)(1)(A) — Use/Possession of Firearm in
2 Furtherance of Crime of Violence)

3 51. On or about August 4, 2005, in the Northern District of California, the defendant
4 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
5 together with others known and unknown, unlawfully, willfully, and knowingly did use and carry
6 a firearm during and in relation to a crime of violence for which he may be prosecuted in a court
7 of the United States, namely, the assault with a dangerous weapon in aid of racketeering of
8 Victim-1 charged in Count Twelve of this Indictment and the attempted murder in aid of
9 racketeering of Victim-1 charged in Count Thirteen of this Indictment, and did possess a firearm
10 in furtherance of the offenses charged in Count Twelve and Count Thirteen of this Indictment, and
11 did brandish a firearm in furtherance of the offenses charged in Count Twelve and Thirteen of this
12 Indictment, and did discharge a firearm in furtherance of the offenses charged in Count Twelve
13 and Count Thirteen of this Indictment.

14 All in violation of Title 18, United States Code, Section 924(c)(1)(A).

15 COUNT FIFTEEN: (18 U.S.C. § 1959(a)(3) — Assault with a Dangerous Weapon in
16 Aid of Racketeering of Victim-2)

17 52. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
18 realleged and incorporated by reference as though fully set forth herein.

19 53. On or about October 29, 2005, in the Northern District of California, as
20 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
21 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
22 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant
23 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
24 unlawfully, knowingly, and intentionally did assault Victim-2 with a dangerous weapon, in
25 violation of California Penal Code Section 245(a)(1).

26 All in violation of Title 18, United States Code, Section 1959(a)(3).

27 //

1 COUNT SIXTEEN: (18 U.S.C. § 1959(a)(5) — Attempted Murder in Aid of
2 Racketeering of Victim-2)

3 54. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
4 realleged and incorporated by reference as though fully set forth herein.

5 55. On or about October 29, 2005, in the Northern District of California, as
6 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
7 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
8 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

9 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
10 unlawfully, knowingly, and intentionally did attempt to murder Victim-2, in violation of
11 California Penal Code Sections 187, 188, 189, 21a, and 664.

12 All in violation of Title 18, United States Code, Section 1959(a)(5).

13 COUNT SEVENTEEN: (18 U.S.C. § 1959(a)(3) — Assault with a Dangerous Weapon in
14 Aid of Racketeering of Victim-3)

15 56. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
16 realleged and incorporated by reference as though fully set forth herein.

17 57. On or about October 29, 2005, in the Northern District of California, as
18 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
19 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
20 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

21 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
22 unlawfully, knowingly, and intentionally did assault Victim-3 with a dangerous weapon, in
23 violation of California Penal Code Section 245(a)(1).

24 All in violation of Title 18, United States Code, Section 1959(a)(3).

25 COUNT EIGHTEEN: (18 U.S.C. § 1959(a)(5) — Attempted Murder in Aid of
26 Racketeering of Victim-3)

27 58. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
28 realleged and incorporated by reference as though fully set forth herein.

1 59. On or about October 29, 2005, in the Northern District of California, as
2 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
3 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
4 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant
5 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
6 unlawfully, knowingly, and intentionally did attempt to murder Victim-3, in violation of
7 California Penal Code Sections 187, 188, 189, 21a, and 664.

8 All in violation of Title 18, United States Code, Section 1959(a)(5).

9 COUNT NINETEEN: (18 U.S.C. § 1959(a)(3) — Assault with a Dangerous Weapon in
10 Aid of Racketeering of Victim-4)

11 60. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
12 realleged and incorporated by reference as though fully set forth herein.

13 61. On or about October 29, 2005, in the Northern District of California, as
14 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
15 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
16 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant
17 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
18 unlawfully, knowingly, and intentionally did assault Victim-4 with a dangerous weapon, in
19 violation of California Penal Code Section 245(a)(1).

20 All in violation of Title 18, United States Code, Section 1959(a)(3).

21 COUNT TWENTY: (18 U.S.C. § 1959(a)(5) — Attempted Murder in Aid of
22 Racketeering of Victim-4)

23 62. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
24 realleged and incorporated by reference as though fully set forth herein.

25 63. On or about October 29, 2005, in the Northern District of California, as
26 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything
27 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
28 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

1 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
2 unlawfully, knowingly, and intentionally did attempt to murder Victim-4, in violation of
3 California Penal Code Sections 187, 188, 189, 21a, and 664.

4 All in violation of Title 18, United States Code, Section 1959(a)(5).

5 COUNT TWENTY-ONE: (18 U.S.C. § 924(c)(1)(A) — Use/Possession of Firearm in
6 Furtherance of Crime of Violence)

7 64. On or about October 29, 2005, in the Northern District of California, the
8 defendant

9 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
10 together with others known and unknown, unlawfully, willfully, and knowingly did use and carry
11 a firearm during and in relation to a crime of violence for which he may be prosecuted in a court
12 of the United States, namely, the assault with a dangerous weapon in aid of racketeering of
13 Victim-2, Victim-3, and Victim-4 charged in Count Fifteen, Count Seventeen, and Count
14 Nineteen of this Indictment, and the attempted murder in aid of racketeering of Victim-2, Victim-
15 3, and Victim-4 charged in Count Sixteen, Count Eighteen, and Count Twenty of this Indictment,
16 and did possess a firearm in furtherance of the offenses charged in Count Fifteen, Count Sixteen,
17 Count Seventeen, Count Eighteen, Count Nineteen, and Count Twenty of this Indictment, and did
18 brandish a firearm in furtherance of the offenses charged in Count Fifteen, Count Sixteen, Count
19 Seventeen, Count Eighteen, Count Nineteen, and Count Twenty of this Indictment, and did
20 discharge a firearm in furtherance of the offenses charged in Count Fifteen, Count Sixteen, Count
21 Seventeen, Count Eighteen, Count Nineteen, and Count Twenty of this Indictment.

22 All in violation of Title 18, United States Code, Section 924(c)(1)(A).

23 COUNT TWENTY-TWO: (18 U.S.C. § 1959(a)(3) — Assault with a Dangerous Weapon in
24 Aid of Racketeering of Victim-5)

25 65. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
26 realleged and incorporated by reference as though fully set forth herein.

27 66. On or about December 9, 2005, in the Northern District of California, as
28 consideration for the receipt of, and as consideration for a promise and agreement to pay, anything

1 of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and
2 increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant

3 DANIEL PORTILLO, a/k/a "Rustin," a/k/a "Rooster,"

4 unlawfully, knowingly, and intentionally did assault Victim-5 with a dangerous weapon, in
5 violation of California Penal Code Section 245(a)(1).

6 All in violation of Title 18, United States Code, Section 1959(a)(3).

7 COUNT TWENTY-THREE: (18 U.S.C. § 924(c)(1)(A) — Use/Possession of Firearm in
8 Furtherance of Crime of Violence)

9 67. On or about December 9, 2005, in the Northern District of California, the
10 defendant

11 DANIEL PORTILLO, a/k/a "Rustin," a/k/a "Rooster,"

12 together with others known and unknown, unlawfully, willfully, and knowingly did use and carry
13 a firearm during and in relation to a crime of violence for which he may be prosecuted in a court
14 of the United States, namely, the assault with a dangerous weapon in aid of racketeering of
15 Victim-5 charged in Count Twenty-Two of this Indictment, and did possess a firearm in
16 furtherance of the offense charged in Count Twenty-Two of this Indictment, and did brandish a
17 firearm in furtherance of the offense charged in Count Twenty-Two of this Indictment, and did
18 discharge a firearm in furtherance of the offense charged in Count Twenty-Two of this Indictment.

19 All in violation of Title 18, United States Code, Section 924(c)(1)(A).

20 COUNT TWENTY-FOUR: (18 U.S.C. §§ 1959(a)(3) and 2 — Assault with a Dangerous
21 Weapon in Aid of Racketeering of Victim-10)

22 68. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
23 realleged and incorporated by reference as though fully set forth herein.

24 69. On or about June 19, 2008, in the Northern District of California, as consideration
25 for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary
26 value from MS-13, and for the purpose of gaining entrance to and maintaining and increasing
27 position in MS-13, an enterprise engaged in racketeering activity, the defendants

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1 ABRAHAM MARTINEZ, a/k/a "Goofy,"

2 JOSE ALVARADO, a/k/a "Joker," and

3 DOUGLAS LARGAESPADA, a/k/a "Droopy,"

4 unlawfully, knowingly, and intentionally did assault Victim-10 with a dangerous weapon, in
5 violation of California Penal Code Sections 245(a)(1) and 31.

6 All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

7 COUNT TWENTY-FIVE: (18 U.S.C. § 1959(a)(5) — Attempted Murder in Aid of
8 Racketeering of Victim-10)

9 70. Paragraphs 1 through 19, 22 through 26, and 28 through 29 of this Indictment are
10 realleged and incorporated by reference as though fully set forth herein.

11 71. On or about June 19, 2008, in the Northern District of California, as consideration
12 for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary
13 value from MS-13, and for the purpose of gaining entrance to and maintaining and increasing
14 position in MS-13, an enterprise engaged in racketeering activity, the defendant

15 ABRAHAM MARTINEZ, a/k/a "Goofy,"
16 unlawfully, knowingly, and intentionally did attempt to murder Victim-10, in violation of
17 California Penal Code Sections 187, 188, 189, 21a, and 664.

18 All in violation of Title 18, United States Code, Section 1959(a)(5).

19 COUNT TWENTY-SIX: (21 U.S.C. § 846 — Conspiracy to Distribute/Possess with Intent
20 to Distribute Controlled Substances)

21 72. From at least in or about 2006, up through and including in or about January
22 2008, in the Northern District of California, the defendants

23 MAURICIO URIAS, a/k/a "Puppet,"

24 JUDITH SOSA, a/k/a "J-Dubbs," and

25 JOHN LACSAMANA BRIEZ,

26 and others known and unknown, unlawfully, knowingly, and intentionally did combine, conspire,
27 confederate, and agree together and with each other to violate the narcotics laws of the United
28 States.

1 73. It was a part and an object of the conspiracy that the defendants
2 MAURICIO URIAS, a/k/a "Puppet,"
3 JUDITH SOSA, a/k/a "J-Dubbs," and
4 JOHN LACSAMANA BRIEZ,
5 and others known and unknown, unlawfully, knowingly, and intentionally would and did
6 distribute and possess with intent to distribute a controlled substance, to wit, 50 grams or more of
7 actual methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1) and
8 (b)(1)(A).

9 74. It was further a part and an object of the conspiracy that the defendant
10 MAURICIO URIAS, a/k/a "Puppet,"
11 and others known and unknown, unlawfully, knowingly, and intentionally would and did
12 distribute and possess with intent to distribute a controlled substance, to wit, 500 grams or more
13 of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21,
14 United States Code, Section 841(a)(1) and (b)(1)(B).

15 All in violation of Title 21, United States Code, Section 846.

16 COUNT TWENTY-SEVEN: (21 U.S.C. § 841(a)(1) and (b)(1)(B) and 18 U.S.C. § 2 —

17 Distribution/Possession with Intent to Distribute Controlled
18 Substance)

19 75. On or about May 24, 2006, in the Northern District of California, the defendants
20 MAURICIO URIAS, a/k/a "Puppet,"
21 JUDITH SOSA, a/k/a "J-Dubbs," and
22 JOHN LACSAMANA BRIEZ,
23 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
24 controlled substance, to wit, 5 grams or more of actual methamphetamine.

25 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B), and Title
26 18, United States Code, Section 2.

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1 COUNT TWENTY-EIGHT: (21 U.S.C. § 841(a)(1) and (b)(1)(B) and 18 U.S.C. § 2 —

2 Distribution/Possession with Intent to Distribute Controlled
3 Substance)

4 76. On or about June 28, 2006, in the Northern District of California, the defendants

5 MAURICIO URIAS, a/k/a "Puppet,"

6 JUDITH SOSA, a/k/a "J-Dubbs," and

7 JOHN LACSAMANA BRIEZ,

8 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
9 controlled substance, to wit, 5 grams or more of actual methamphetamine.

10 All in violation of Title 21, United States Code, Section 841(a)(1) and(b)(1)(B), and Title
11 18, United States Code, Section 2.

12 COUNT TWENTY-NINE: (21 U.S.C. § 841(a)(1) and (b)(1)(B) and 18 U.S.C. § 2 —

13 Distribution/Possession with Intent to Distribute Controlled
14 Substance)

15 77. On or about July 11, 2006, in the Northern District of California, the defendants

16 MAURICIO URIAS, a/k/a "Puppet," and

17 JUDITH SOSA, a/k/a "J-Dubbs,"

18 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
19 controlled substance, to wit, 5 grams or more of actual methamphetamine.

20 All in violation of Title 21, United States Code, Section 841(a)(1) and(b)(1)(B), and Title
21 18, United States Code, Section 2.

22 COUNT THIRTY: (21 U.S.C. § 841(a)(1) and (b)(1)(B) and 18 U.S.C. § 2 —

23 Distribution/Possession with Intent to Distribute Controlled
24 Substance)

25 78. On or about January 23, 2007, in the Northern District of California, the
26 defendants

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1 MAURICIO URIAS, a/k/a "Puppet,"

2 JUDITH SOSA, a/k/a "J-Dubbs," and

3 JOHN LACSAMANA BRIEZ,

4 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
5 controlled substance, to wit, 5 grams or more of actual methamphetamine.

6 All in violation of Title 21, United States Code, Section 841(a)(1) and(b)(1)(B), and Title
7 18, United States Code, Section 2.

8 COUNT THIRTY-ONE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) and 18 U.S.C. § 2 —
9 Distribution/Possession with Intent to Distribute Controlled
10 Substance)

11 79. On or about July 13, 2007, in the Northern District of California, the defendant

12 MAURICIO URIAS, a/k/a "Puppet,"

13 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
14 controlled substance, to wit, approximately 56.7 grams of mixtures and substances containing a
15 detectable amount of cocaine.

16 All in violation of Title 21, United States Code, Section 841(a)(1) and(b)(1)(C), and Title
17 18, United States Code, Section 2.

18 COUNT THIRTY-TWO: (21 U.S.C. § 841(a)(1) and (b)(1)(C) and 18 U.S.C. § 2 —
19 Distribution/Possession with Intent to Distribute Controlled
20 Substance)

21 80. On or about August 17, 2007, in the Northern District of California, the defendant

22 MAURICIO URIAS, a/k/a "Puppet,"

23 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
24 controlled substance, to wit, approximately 85.05 grams of mixtures and substances containing a
25 detectable amount of cocaine.

26 All in violation of Title 21, United States Code, Section 841(a)(1) and(b)(1)(C), and Title
27 18, United States Code, Section 2.

28 //

1 COUNT THIRTY-THREE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) and 18 U.S.C. § 2 —

2 Distribution/Possession with Intent to Distribute Controlled
3 Substance)

4 81. On or about September 14, 2007, in the Northern District of California, the
5 defendant

6 MAURICIO URIAS, a/k/a "Puppet,"

7 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
8 controlled substance, to wit, approximately 255.15 grams of mixtures and substances containing a
9 detectable amount of cocaine.

10 All in violation of Title 21, United States Code, Section 841(a)(1) and(b)(1)(C), and Title
11 18, United States Code, Section 2.

12 COUNT THIRTY-FOUR: (21 U.S.C. § 841(a)(1) and (b)(1)(C) and 18 U.S.C. § 2 —

13 Distribution/Possession with Intent to Distribute Controlled
14 Substance)

15 82. On or about January 22, 2008, in the Northern District of California, the defendant

16 MAURICIO URIAS, a/k/a "Puppet,"

17 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
18 controlled substance, to wit, approximately 113.40 grams of mixtures and substances containing a
19 detectable amount of cocaine.

20 All in violation of Title 21, United States Code, Section 841(a)(1) and(b)(1)(C), and Title
21 18, United States Code, Section 2.

22 COUNT THIRTY-FIVE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) and 18 U.S.C. § 2 —

23 Distribution/Possession with Intent to Distribute Controlled
24 Substance)

25 83. On or about May 31, 2007, in the Northern District of California, the defendant

26 JOSE ANTUNEZ, a/k/a "Fino,"

27 unlawfully, knowingly, and intentionally did distribute and possess with intent to distribute a
28 controlled substance, to wit, approximately 28.35 grams of mixtures and substances containing a

1 detectable amount of cocaine.

2 All in violation of Title 21, United States Code, Section 841(a)(1) and(b)(1)(C), and Title
3 18, United States Code, Section 2.

4 COUNT THIRTY-SIX: (18 U.S.C. §§ 922(a)(1)(A) and 2 — Engaging in the Unlicensed
5 Business of Firearms Dealing)

6 84. From at least in or about 2006, up through and including in or about May 2007, in
7 the Northern District of California and elsewhere, the defendant

8 RENE MONTES-MAYORGA, a/k/a “Negro,”

9 not being a licensed importer, licensed manufacturer, and licensed dealer, unlawfully, willfully,
10 and knowingly did engage in the business of importing, manufacturing, and dealing in firearms,
11 and in the course of such business shipped, transported, and received firearms in interstate and
12 foreign commerce, including two SKS assault rifles, a 12-gauge shotgun, and a .22-caliber rifle.

13 All in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 2.

14 COUNT THIRTY-SEVEN: (18 U.S.C. § 922(g)(5) — Alien in Possession of a Firearm)

15 85. On or about February 1, 2007, in the Northern District of California, the defendant

16 RENE MONTES-MAYORGA, a/k/a “Negro,”

17 then being an alien illegally and unlawfully in the United States, unlawfully, willfully, and
18 knowingly did possess a firearm, to wit, an SKS assault rifle, in and affecting interstate
19 commerce.

20 All in violation of Title 18, United States Code, Section 922(g)(5).

21 COUNT THIRTY-EIGHT: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
22 Vehicle)

23 86. On or about October 13, 2006, in the Northern District of California, the
24 defendants

25 RODRIGO MOLINA, a/k/a “Lil Payaso,” a/k/a “Payaso,” and

26 MARLON LUMANG,

27 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 1998
28 Honda Civic, VIN 1HGEJ7127WL062810, knowing the motor vehicle to have been stolen.

1 All in violation of Title 18, United States Code, Sections 553(a) and 2.

2 COUNT THIRTY-NINE: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
3 Vehicle)

4 87. On or about October 19, 2006, in the Northern District of California, the
5 defendant

6 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso,"
7 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 1992
8 Honda Civic, VIN JHMEH9692NS005882, knowing the motor vehicle to have been stolen.

9 All in violation of Title 18, United States Code, Sections 553(a) and 2.

10 COUNT FORTY: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
11 Vehicle)

12 88. On or about October 19, 2006, in the Northern District of California, the
13 defendants

14 MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco," and
15 MARLON LUMANG,
16 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2000
17 Honda Civic, VIN 2HGEJ6619YH605469, knowing the motor vehicle to have been stolen.

18 All in violation of Title 18, United States Code, Sections 553(a) and 2.

19 COUNT FORTY-ONE: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
20 Vehicle)

21 89. On or about November 13, 2006, in the Northern District of California, the
22 defendant

23 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
24 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2001
25 Chevy Suburban, VIN 3GNFK16T91G264236, knowing the motor vehicle to have been stolen.

26 All in violation of Title 18, United States Code, Sections 553(a) and 2.

27 //

28 //

1 COUNT FORTY-TWO: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
2 Vehicle)

3 90. On or about November 17, 2006, in the Northern District of California, the
4 defendants

5 RODIL NOCHEZ, a/k/a "Chino," a/k/a "Nieto," and

6 DANIEL GONZALEZ, a/k/a "D,"

7 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2003
8 Toyota Matrix, VIN 2T1KR32E54C072265, knowing the motor vehicle to have been stolen.

9 All in violation of Title 18, United States Code, Sections 553(a) and 2.

10 COUNT FORTY-THREE: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
11 Vehicle)

12 91. On or about November 22, 2006, in the Northern District of California, the
13 defendants

14 RODIL NOCHEZ, a/k/a "Chino," a/k/a "Nieto," and

15 DANIEL GONZALEZ, a/k/a "D,"

16 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2001
17 Toyota 4Runner, VIN JT3HN86RX10341372, knowing the motor vehicle to have been stolen.

18 All in violation of Title 18, United States Code, Sections 553(a) and 2.

19 COUNT FORTY-FOUR: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
20 Vehicle)

21 92. On or about November 28, 2006, in the Northern District of California, the
22 defendants

23 RODIL NOCHEZ, a/k/a "Chino," a/k/a "Nieto," and

24 DANIEL GONZALEZ, a/k/a "D,"

25 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2000
26 Toyota 4Runner, VIN JT3HN86R7Y0279911, knowing the motor vehicle to have been stolen.

27 All in violation of Title 18, United States Code, Sections 553(a) and 2.

28 //

1 COUNT FORTY-FIVE: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
2 Vehicle)

3 93. On or about December 1, 2006, in the Northern District of California, the
4 defendants

5 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon," and
6 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso,"
7 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2004
8 Toyota Matrix, VIN 2T1KR32E7YC197592, knowing the motor vehicle to have been stolen.

9 All in violation of Title 18, United States Code, Sections 553(a) and 2.

10 COUNT FORTY-SIX: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
11 Vehicle)

12 94. On or about December 11, 2006, in the Northern District of California, the
13 defendants

14 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon," and
15 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso,"
16 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2003
17 Toyota Matrix, VIN 2T1KR32E03C125681, knowing the motor vehicle to have been stolen.

18 All in violation of Title 18, United States Code, Sections 553(a) and 2.

19 COUNT FORTY-SEVEN: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
20 Vehicle)

21 95. On or about December 11, 2006, in the Northern District of California, the
22 defendants

23 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon," and
24 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso,"
25 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2003
26 Toyota Matrix, VIN 2T1KR32E23C060994, knowing the motor vehicle to have been stolen.

27 All in violation of Title 18, United States Code, Sections 553(a) and 2.

28 //

1 COUNT FORTY-EIGHT: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
2 Vehicle)

3 96. On or about January 9, 2007, in the Northern District of California, the defendants
4 RODIL NOCHEZ, a/k/a "Chino," a/k/a "Nieto," and
5 DANIEL GONZALEZ, a/k/a "D,"

6 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2002
7 Toyota 4Runner, VIN JT3GN86R120224003, knowing the motor vehicle to have been stolen.

8 All in violation of Title 18, United States Code, Sections 553(a) and 2.

9 COUNT FORTY-NINE: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
10 Vehicle)

11 97. On or about January 9, 2007, in the Northern District of California, the defendants
12 RODIL NOCHEZ, a/k/a "Chino," a/k/a "Nieto," and
13 DANIEL GONZALEZ, a/k/a "D,"

14 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2002
15 Toyota Tacoma, VIN 5TEGN92N42Z137331, knowing the motor vehicle to have been stolen.

16 All in violation of Title 18, United States Code, Sections 553(a) and 2.

17 COUNT FIFTY: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen Vehicle)

18 98. On or about January 17, 2007, in the Northern District of California, the
19 defendants

20 RODIL NOCHEZ, a/k/a "Chino," a/k/a "Nieto," and
21 DANIEL GONZALEZ, a/k/a "D,"

22 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2003
23 Toyota Tacoma, VIN 5TEGN92N81Z879763, knowing the motor vehicle to have been stolen.

24 All in violation of Title 18, United States Code, Sections 553(a) and 2.

25 COUNT FIFTY-ONE: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
26 Vehicle)

27 99. On or about January 17, 2007, in the Northern District of California, the
28 defendants

1 RODIL NOCHEZ, a/k/a "Chino," a/k/a "Nieto," and

2 DANIEL GONZALEZ, a/k/a "D,"

3 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2003
4 Toyota Tacoma, VIN 5TEWN72N63Z194342, knowing the motor vehicle to have been stolen.

5 All in violation of Title 18, United States Code, Sections 553(a) and 2.

6 COUNT FIFTY-TWO: (18 U.S.C. §§ 553(a) and 2 — Attempted Exportation of Stolen
7 Vehicle)

8 100. On or about January 17, 2007, in the Northern District of California, the
9 defendants

10 RODIL NOCHEZ, a/k/a "Chino," a/k/a "Nieto," and

11 DANIEL GONZALEZ, a/k/a "D,"

12 unlawfully, knowingly, and intentionally did attempt to export a motor vehicle, to wit, a 2003
13 Toyota Tacoma, VIN 5TEGN92N03Z166312, knowing the motor vehicle to have been stolen.

14 All in violation of Title 18, United States Code, Sections 553(a) and 2.

15 NOTICE OF SPECIAL SENTENCING FACTORS REGARDING COUNT ONE

16 Number 1: Conspiracy to Commit Murder in the First Degree

17 101. Beginning on a date unknown to the Grand Jury but since at least the late 1990s,
18 and continuing up through and including the present, in the Northern District of California, the
19 defendants

20 IVAN CERNA, a/k/a "Tigre,"

21 MARVIN CARCAMO, a/k/a "Cyco," a/k/a "Psycho," a/k/a "Syco,"

22 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"

23 MORIS FLORES, a/k/a "Slow," a/k/a "Slow Pain,"

24 GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky,"

25 JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"

26 WALTER CRUZ-ZAVALA, a/k/a "Sombra,"

27 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"

28 DANIEL PORTILLO, a/k/a "Rustin," a/k/a "Rooster,"

1 ERICK LOPEZ, a/k/a "Spooky,"
2 CARLOS GARRIDO, a/k/a "Tweety,"
3 WALTER CHINCHILLA-LINAR, a/k/a "Demonio,"
4 CESAR ALVARADO, a/k/a "Momia,"
5 ABRAHAM MARTINEZ, a/k/a "Goofy,"
6 JOSE ALVARADO, a/k/a "Joker,"
7 DOUGLAS LARGAESPADA, a/k/a "Droopy,"
8 WILBERT CASTILLO, a/k/a "Cypress,"
9 JOSE QUINTEROS, a/k/a "Fantasma,"
10 MELVIN MALDONADO, a/k/a "Estrano," a/k/a "Stranger,"
11 MANUEL FRANCO, a/k/a "Dreamer,"
12 RODRIGO MOLINA, a/k/a "Lil Payaso," a/k/a "Payaso," and
13 MAURICIO URIAS, a/k/a "Puppet,"

14 and others known and unknown, unlawfully, knowingly, and intentionally did combine, conspire,
15 confederate, and agree together and with each other to kill deliberately and with premeditation
16 another person, and a conspirator committed an overt act in furtherance of the conspiracy, in
17 violation of California Penal Code Sections 187, 188, 189, and 182, to wit, the defendants agreed
18 together and with each other to kill actual and suspected *Norteños*, actual and suspected members
19 of other gangs, and individuals suspected of cooperating with law enforcement.

20 Number 2: GUILLERMO HERRERA — First Degree Murder of Victim-11

21 102. On or about July 11, 2008, in the Northern District of California, the defendant
22 GUILLERMO HERRERA, a/k/a "Shorty," a/k/a "Sparky,"
23 unlawfully, knowingly, and intentionally did deliberately and with premeditation kill Victim-11,
24 in violation of California Penal Code Sections 187, 188, and 189.

25 Number 3: ANGEL NOEL GUEVARA — Attempted First Degree Murder of Victim-7

26 103. On or about December 26, 2007, in the Northern District of California, the
27 defendant

28 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"

1 unlawfully, knowingly, and intentionally did deliberately and with premeditation attempt to kill
2 Victim-7, in violation of California Penal Code Sections 187, 188, 189, 21a, and 664.

3 Number 4: ANGEL NOEL GUEVARA — Attempted First Degree Murder of Victim-8

4 104. On or about December 26, 2007, in the Northern District of California, the
5 defendant

6 ANGEL NOEL GUEVARA, a/k/a "Peloncito,"
7 unlawfully, knowingly, and intentionally did deliberately and with premeditation attempt to kill
8 Victim-8, in violation of California Penal Code Sections 187, 188, 189, 21a, and 664.

9 Number 5: WALTER PALMA — Attempted First Degree Murder of Victim-1

10 105. On or about August 4, 2005, in the Northern District of California, the defendant

11 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
12 unlawfully, knowingly, and intentionally did deliberately and with premeditation attempt to kill
13 Victim-1, in violation of California Penal Code Sections 187, 188, 189, 21a, and 664.

14 Number 6: WALTER PALMA — Attempted First Degree Murder of Victim-2

15 106. On or about October 29, 2005, in the Northern District of California, the
16 defendant

17 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
18 unlawfully, knowingly, and intentionally did deliberately and with premeditation attempt to kill
19 Victim-2, in violation of California Penal Code Sections 187, 188, 189, 21a, and 664.

20 Number 7: WALTER PALMA — Attempted First Degree Murder of Victim-3

21 107. On or about October 29, 2005, in the Northern District of California, the
22 defendant

23 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
24 unlawfully, knowingly, and intentionally did deliberately and with premeditation attempt to kill
25 Victim-3, in violation of California Penal Code Sections 187, 188, 189, 21a, and 664.

26 Number 8: WALTER PALMA — Attempted First Degree Murder of Victim-4

27 108. On or about October 29, 2005, in the Northern District of California, the
28 defendant

1 WALTER PALMA, a/k/a "Kapone," a/k/a "Capon,"
2 unlawfully, knowingly, and intentionally did deliberately and with premeditation attempt to kill
3 Victim-4, in violation of California Penal Code Sections 187, 188, 189, 21a, and 664.
4 Number 9: MAURICIO URIAS — Conspiracy to Distribute 50 Grams or More of Actual
5 Methamphetamine

6 109. From at least in or about 2006, up through and including in or about January
7 2008, in the Northern District of California, the defendant

8 MAURICIO URIAS, a/k/a "Puppet,"
9 and others known and unknown, unlawfully, knowingly, and intentionally did combine, conspire,
10 confederate, and agree together and with each other to distribute and possess with intent to
11 distribute 50 grams or more of actual methamphetamine, in violation of Title 21, United States
12 Code, Sections 841(a)(1) and(b)(1)(A) and 846.

13
14 DATED:


A TRUE BILL

15 11-16-08

16 
17 FOREPERSON

18
19 JOSEPH P. RUSSONIELLO
20 United States Attorney

21 
22 BRIAN J. STRETCH
23 Chief, Criminal Division

24
25 (Approved as to form: )

26 AUSA W.S. Wilson Leung
27 Trial Attorney Laura Gwinn
28